

MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING
JUNE 5, 2006

TELECONFERENCE
WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

TABLE OF CONTENTS

Call to Order	1
Commissioners Present -.....	1
Commissioners Absent	1
Approval of Agenda.....	1
APPROVED AS PRESENTED	1
Public Comment.....	1
Contract – Cleanup of MidAmerica Tanning, EPA/DNR Superfund site	2
APPROVED AS PRESENTED	3
Proposed Contract – USGS.....	3
INFORMATIONAL	4
Next Meeting Dates	4
Adjournment	4

TELECONFERENCE MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairperson Jerry Peckumn at 1:30 p.m. on June 5, 2006.

COMMISSIONERS PRESENT -

Darrell Hanson
Jerry Peckumn, Chair
Donna Buell
Francis Thicke, Vice Chair
Lisa Davis Cook, Secretary
Henry Marquard

COMMISSIONERS ABSENT

Sue Morrow
David Petty
Mary Gail Scott

APPROVAL OF AGENDA

Wayne requested that public comment should be added as the next item.

Motion was made by Darrell Hanson to approve the agenda as amended. Seconded by Henry Marquard. Motion carried unanimously.

APPROVED AS PRESENTED

PUBLIC COMMENT

MARK SKIBINSKI, representing Gelita had questions about the site and it's latest status. First, we were told that the site was removed from the superfund list, but that is not true. Secondly, in the fall, we were told that everything had been cleaned up besides some capping.

Wayne Gieselamn said that EPA plays the lead role in superfund sites, the department under an agreement plays a support role with them. The site has been stabilized as of last fall. We have been working with EPA to figure what to do in the long term in making this site more emendable to the environment.

Bob Drustrup said that this site become known in the 1980's, it was a tannery. They become a superfund site, due to the concern with how they handled their waste sludge which was high in chromium. After they were listed on the national list of high priority superfund sites, they went out of business and left the country and when they left, they left no trace. The plan was to consolidate all of the waste and cap it in place. Remedial work was completed in 2000. (The

state did participate in 10% of the cost, about \$235k.) The remedial work consisted of consolidating and capping wastes in two areas and placing a floating plastic cover over two adjacent sludge lagoons that still contained sludge. A year or two afterwards the site was taken off of the superfund national priority list. Last summer, 2005, an unexpected release of liquids occurred from the two lagoons that were covered with the plastic. Even though the site is no longer a national priorities list site, EPA has been able to come up with funds from their current fiscal year to close these lagoons permanently.

CONTRACT – CLEANUP OF MIDAMERICA TANNING, EPA/DNR SUPERFUND SITE

Bob Drustrup presented background information on the site.

The U.S. EPA is proposing to conduct additional cleanup action at the Mid-America Tanning Superfund Site near Sergeant Bluff. In May of 1998 the department entered into a Superfund State Contract (SSC) (Contract No. 98-01-IA-7M-00) for cleanup actions that were completed in 2000. The department paid about \$235,000 as the 10% state cost share for those cleanup actions. Those cleanup actions included consolidating and capping waste material at two locations and placing a synthetic cover over two former sludge lagoons (about 3 acres total in size) to prevent exposure to hydrogen sulfide vapors. In the 1998 SSC the department also agreed to pay 100% of all subsequent operation and maintenance costs associated with the site.

In July of 2005 a release occurred from the sludge lagoons bringing into question the permanence of the cleanup actions at the sludge lagoons. The EPA Region 7 has agreed to allocate Superfund monies to accomplish a permanent closure of the sludge lagoons, which involves stabilizing the sludge and capping it. The EPA has received a bid for just under \$2 million to accomplish this work. To expend these Superfund resources they must amend the SSC to include the costs of the proposed action. Amended (i.e., reduced) requirements of the department for ongoing operation and maintenance are also addressed in the amended SSC.

The SSC calls for the department to seek appropriations for a 10% cost share of the first \$2 million dollars of the costs to stabilize and cap the sludge lagoons. The 10% state cost share shall not exceed \$200,000. The EPA agrees to pay 100% of project costs in excess of \$2 million. The SSC still calls for the state to be responsible for 100% of subsequent operation and maintenance costs, but those costs are expected to be minimal.

The EPA is attempting to initiate this action in the very near future to enable completion of the project this construction season. Also the Superfund resources are available this fiscal year (through September) and may not be available next year.

The commission is being asked to approve the amended SSC for the Mid-America Tanning Superfund site.

Mike Loly asked what EPA is planning to do with the liquids and solid wastes from these site.

Bob Drustrup that the liquids are not toxic. But if they want to discharge the liquids, they will need to be dealt with appropriately.

Mike Loly said that he could not get the answers from EPA. Why are they not using a bid process rather than single source.

Larry Kalwei, Head of Contracts with EPA, said the reason we are not doing a competitive bid is because of the time frame. We needed to get a contractor on board early on. The 8A (small disadvantaged business) method of procuring contract services enables a contract to be negotiated in a short time frame and helps EPA meet commitments for such contracts. The firm choice is a small business firm with a good reputation and the ability to perform the tasks. If it's under \$3,000,000 the law precludes us from using the competitive bidding process with the 8A method of procuring contract services.

Wayne Geiselman said it's our understanding that when we enter into this contract, that the department will seek funds from the legislative to pay for the portion of these costs.

Motion was made by Donna Buell to approve the contract with EPA as presented. Seconded by Darrell Hanson. Motion carried unanimously.

There will be a public meeting on Thursday before the final contractor is considered for the clean up.

APPROVED AS PRESENTED

PROPOSED CONTRACT – USGS

Chris Ensminger, DNR GIS Section Supervisor presented the following item.

The USGS negotiated a sole source, indefinite quantity, contract to acquire LiDAR topography data across the United States.

The DNR strongly believes LiDAR will provide tremendous environmental benefits to the state in terms of improved water quality modeling; conservation practice placement, design, and implementation; and flood plain delineations. As such, the DNR has actively pursued partnerships with other agencies including NRCS, DOT, and the Corps of Engineers to fund the data acquisition. To date, partners have verbally committed funding for one half of the money needed (\$2 million) to acquire LiDAR for the state. We are waiting for levels of commitment from the Iowa Department of Transportation and the US Army Corps of Engineers. If these partners commit the remaining one half, we would like to proceed with the statewide project. If they fail to commit any resources to this effort, we intend to precede with collection over approximately one half of the state.

We must commit to a contract with the US Geological Survey on or before June 30, 2006. At this time, there are commitments from the NRCS and from our own DNR resources for \$2 million. We hope to get commitments for another 2 to 3 million dollars before June 30. We, of course, will report back to you on the final amount with the Iowa Association of Municipal Utilities to extend the current services to December 31, 2007.

Also included in this item is a LiDAR brochure that will hopefully provide some insight into LiDAR technology and some potential applications of the data.

Donna Buell asked if the department was looking for local funding support.

Chris Ensminger said that since the project is much larger and there are time constraints. We thought if we got support from larger agencies, they can round up money from the smaller, local groups.

USGS set up this sole source contract at a very highly competitive price. This contract will end on June 30th and will be re-negotiated to start open July 1st. With higher fuel costs, everyone is expecting the price to up. That's why we would like to get locked in to this contract.

Donna Buell said that this is being so well received in the Great Lakes area. People are thrilled. This is a very good thing.

Henry Marquard asked how this information will be available for the public.

Chris Ensminger said that within one year of acquisition, we will have this data available for downloads and use on the web in formats that are consistent with most major needs and computers.

INFORMATIONAL

NEXT MEETING DATES

June 18th and 19th – Rathbun Regional Water Plant – Centerville

ADJOURNMENT

With no further business to come before the Environmental Protection Commission, Chairperson Jerry Peckumn adjourned the meeting at 2:05 p.m., Monday, June 5, 2006.

Jeffrey R. Vonk, Director

Jerry Peckumn, Chair

Lisa Davis Cook, Secretary

INDEX

A

Adjournment, 4

Approval of Agenda, 1

C

Call to Order, 1

Commissioners Absent, 1

Commissioners Present, 1

Contract

EPA

MidAmerica Tanning, EPA/DNR

Superfund site, 2

E

EPA

Contract

MidAmerica Tanning, EPA/DNR

Superfund site, 2

M

MidAmerica Tanning, EPA/DNR Superfund
site

EPA

Contract, 2

N

Next Meeting Dates, 4

P

Proposed Contract

USGS, 3

Public Comment, 1